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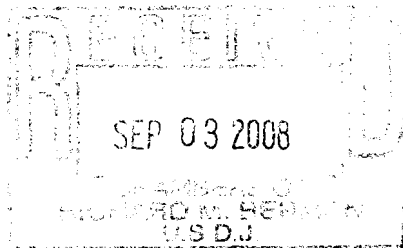
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September 3, 2008

**BY HAND DELIVERY**

Hon. Richard M. Berman  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 650  
New York, NY 10017



OUR FILE NUMBER  
895,011-011

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Re: Vitale AML Consultants, Inc. v. Promontory Fin. Group, LLC, et al.  
(Case No. 1:08-CV-1315-RMB)

Dear Judge Berman:

We are counsel for Plaintiff Vitale AML Consultants, Inc. in the above-referenced matter. We thought it might be helpful for Your Honor to receive written settlement statements from the parties in advance of the settlement conference, scheduled for Wednesday, September 10, 2008. Thus, we respectfully request that Your Honor grant the parties the option to submit confidential settlement statement letters (not exceeding 10 pages) to the Court by Monday, September 8, 2008. Further, we respectfully request that such letters not be disclosed to the other parties.

Respectfully submitted,

*Johanne Schmitt*  
Johanna Schmitt  
for O'MELVENY & MYERS LLP

lets say 5 ppt you can bring them to conference. But, engage in good faith negotiations to the end.
cc: Anthony Herman Esq., Emily Henn Esq., Joshua Doan, Esq., P. Benjamin Duke, Esq. (Counsel for Promontory Defendants; via email) Jay Itkowitz, Esq. (Counsel for the Rose Defendants and Samaan Defendants; via email)
SO ORDERED: Date: 9/4/08 <i>Richard M. Berman</i> Richard M. Berman, U.S.D.J.